

REMARKS

I. Introduction

In the Office Action dated July 1, 2005, claims 1-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,206,901 ("Harlow") in view of U.S. Pat. No. 5,978,451 ("Swan") and U.S. Pat. No. 5,953,401 ("Caveney"). Applicants respectfully request reconsideration and withdrawal of the rejections in light of the following remarks.

II. The Proposed Combination Does Not Render the Independent Claims Unpatentable

Each of the independent claims is directed to providing a family telecommunications service that facilitates access to a family residence and locations of family members other than the family residence. Claims 1, 5, and 9 all recite *providing a menu to caller, the menu providing a plurality of destination options including a first destination option for a residence of a family, a second destination option for a first member of the family at a location other than the family residence, and a third destination option for a second member of the family at a second location other than the family residence*. Harlow, Swan, and Caveney all fail to disclose at least this limitation.

Harlow is directed to a system for alerting a plurality of telephones in response to an incoming call to a destination directory number. Generally, in Harlow, a call is placed to a destination directory number. In response to the call, multiple telephones on multiple telephone lines ring at once. When one of the multiple telephones is answered, the remaining telephones stop ringing. As admitted by the Examiner, Harlow does not teach providing a menu to a caller.

Like Harlow, Caveney also does not each providing a menu to a caller. Caveney is directed to a call processor for use with a telephone switching system which allows an incoming caller to complete the call to an internal destination without operator

assistance and without receiving a generated voice message. At no time does Caveney disclose providing a user with a menu of any kind.

The only reference cited by the Examiner that provides a menu to a caller is Swan. Swan is directed to a personal communication controller that may be programmed with customized service configurations based on telecommunication services available to a telephone terminal. In the relevant portion of Swan cited by the Examiner, a caller is provided with a routing menu. However, the menu does not provide **a plurality of destination options including a first destination option for a residence of a family, a second destination option for a first member of the family at a location other than the family residence, and a third destination option for a second member of the family at a second location other than the family residence** as recited in each of the independent claims. Further, the Swan system is "designed to provide enhanced service value to all of the telephone terminals throughout **a residence** coupled to a single telephone communication line entering the residence." (Abstract, emphasis added). Therefore, due to the fact Swan is limited to a **a single residence**, it would not be possible for the Swan system to provide destination options such as **a second destination option for a first member of the family at a location other than the family residence and a third destination option for a second member of the family at a second location other than the family residence**.

Due to the fact Harlow, Swan, and Caveney all fail to disclose at least providing a menu to caller, the menu providing a plurality of destination options including a first destination option for a residence of a family, a second destination option for a first member of the family at a location other than the family residence, and third destination option for a second member of the family at a second location other than the family residence as recited in the independent claims, any combination of Harlow, Swan and Caveney necessarily cannot render the independent claims, or any claims that depend on the independent claims, unpatentable. Applicants respectfully request the withdrawal of the rejection to claims 1-17 under 35 U.S.C. § 103(a).

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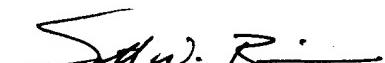
III. It is Improper to Combine Swan and Caveney

It is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983); MPEP §§ 2141.02 and 2145. As discussed above, Caveney is directed to a call processor for use with a telephone switching system which allows an incoming caller to complete the call to an internal destination **without operator assistance and without receiving a generated voice message**. (Abstract). The relevant portion of Swan cited by the Examiner discloses providing a routing menu to a caller, which is the very action that Caveney is attempting to avoid. Applicants respectfully submit that due to the fact Caveney teaches away from a user receiving a generated voice message such as a menu, and the relevant portion of Swan cited by the Examiner discloses a user receiving a generated voice message such as a menu, it is improper to combine Swan and Caveney.

IV. CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,



Scott W. Brim
Registration No. 51,500
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200